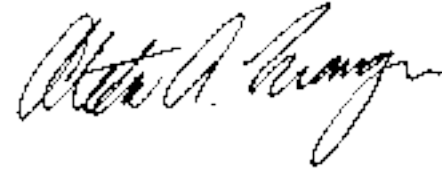


Motion GRANTED for  
60-day extension.



**IN THE UNITED STATES COURT**  
**FOR THE MIDDLE DISTRICT OF TENNESSEE**  
**AT NASHVILLE**

**JOHN McPHERSON,**  
**Plaintiff,**

**v.**

**SMITH COUNTY, TENNESSEE, et. al.,**  
**Defendant.**

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**No. 2:10cv50**  
**JUDGE TRAUGER**

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**MOTION FOR AN EXTENSION TO SERVE PROCESS**

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**COMES NOW** the Plaintiff, John McPherson, by and through counsel, pursuant to 4(m) of the Federal Rules of Civil Procedure and would move this Honorable Court for an additional sixty (60) days in which to serve the individual defendant, Steve Babcock, with personal service of process. In support of the foregoing, the Plaintiff would submit Steve Babcock is an individual defendant in this cause of action and is alleged to have deprived the Plaintiff his federally protected rights while working as an officer employed by the Smith County Sheriff's Department. We have confirmed Mr. Babcock and his wife live in Florida, but still do not know his exact location. This case has been essentially stayed, pending resolution of the plaintiff's criminal charges. Thus, there is no prejudice to remaining defendants in extending the time period for service of process. Moreover, the plaintiff has made efforts and used diligence in attempting to located Mr. Babcock as indicated in the affidavit of counsel filed contemporaneously with this motion. The plaintiff would incorporate said affidavit into this motion *in haec verba*.

**WHEREFORE PREMISES CONSIDERED** the Plaintiff would move this Honorable Court for an additional sixty (60) days to serve Steve Babcock with process.